

Protection of Non-confidential Information

Argument: The Act allows reporters to withhold information even when the source didn't demand confidentiality.

Response:

- Often times, sources speak to reporters without requesting a specific pledge of confidentiality (similar to speaking on background), especially in situations where there has been a long history of trust established between the source and the reporter.
- Protecting these sources and the journalists' work product still serves the public interest and the free flow information. Moreover, as a society we have endorsed this concept in other circumstances. For example, doctors, priests and spouses do not have to specifically pledge confidentiality to assert their respective privileges.
- Protecting non-confidential information, for example, in a reporter's notes or video outtakes, prevents fishing expeditions for information that could lead to the identification of a confidential source.